



000435155

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

Index No.
Date Purchased. 09-12020

SACCARDI & SCHIFF, INC.,

Plaintiff

Summons

against

SEVEN SPRINGS LLC,

Defendant

FILED

MAY 20 2009

TIMOTHY G. IDONE
COUNTY CLERK
COUNTY OF WESTCHESTER

Plaintiff designates WESTCHESTER County as the place of trial
Basis of Venue :
Plaintiff resides at: 445 Hamilton Avenue, Suite 404
White Plains NY 10601

To the above named Defendant

You are hereby summoned to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's Attorney(s) within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded herein.

Peter B. Ackerman, Esq.

Dated, May 17, 2009

Defendant's address:

% The Trump Organization
487 E. Main St.
Mount Kisco NY 10549

Attorney(s) for Plaintiff
Office and Post Office Address

202 Mamaroneck Avenue, Suite 500
White Plains, New York, 10601
(914) 686-1200

Upon your failure to appear, judgment will be taken against you by default for the sum of \$ 162549.30 together with interest from 11/30/08 and the costs of this action.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

-----X
SACCARDI & SCHIFF, INC. INDEX NO:

Plaintiff,

COMPLAINT

-against-

SEVEN SPRINGS, LLC,

Defendant.
-----X

Plaintiff, by and through its attorney Peter B. Ackerman, Esq., as and for its complaint against the defendants, alleges and shows:

1. Plaintiff is a domestic corporation organized and existing pursuant to the laws of the State of New York with an office for the conduct of business in Westchester County, State of New York.

2. Upon information and belief, defendant SEVEN SPRINGS, LLC is a domestic limited liability company organized and existing pursuant to the laws of the state of New York with an office for the conduct of business in Westchester County, State of New York.

3. Between October 1, 2007, and October 30, 2008, Plaintiff, at the specific request of Defendant and for the benefit of said Defendant, performed work, labor and services for said Defendant having a fair and reasonable value of \$162,549.34.

6. That said work, labor and services were provided, furnished, and used for and in connection with preparation of a Draft Environmental Impact Statement (DEIS) with revisions based upon comments from representatives of Defendant and from officials of the Town of Bedford, as well as the printing, assembly, and distribution of the DEIS in accordance with New York laws and regulations, all relative to development of the premises commonly known as Ogden Road, Bedford New York.

7. No part of the aforesaid sum of \$162,549.34 has been paid by the above named

defendant, and there remains due and owing to plaintiff the sum of \$162,549.34.

8. Plaintiff duly performed all of the conditions on its part to be performed in connection with the providing of the aforesaid materials, work, labor and services relating to the property.

9. No other proceeding has been brought at law or otherwise for recovery of said sum or any part thereof.

10. On October 30, 2008, within eight (8) months after the date on which plaintiff performed the last item of work, labor or services described above, plaintiff filed a notice of lien in writing with the office of the Clerk of the County of Westchester, the county where the property is located.

11. Said notice of lien contained the name and business address of the lienor, the name and address of the lienor's attorney, the name of the then owner of the real property against whose interest therein a lien was claimed, the interest of the owner so far as was known to the lienor, the name of the entity by whom the lienor was employed and to which it furnished the said work, labor and services, the services rendered and the agreed price thereof, the amount unpaid to the lienor for said services, the date when the first and last items of work and labor were performed, and the property subject to the lien, with a description sufficient for identification including the tax map designation. Said notice of lien was duly verified by the lienor and complied in all respects with the requirements of the Lien Law of the State of New York.

12. On October 30, 2008 said notice of lien was duly entered and docketed by the Clerk of the County of New York in the lien docket.

13. Said lien has not been canceled or otherwise discharged.

14. Upon information and belief no persons other than the plaintiff and defendant named in this proceeding have or claim any interest or lien in the real property described

herein, subordinate to the lien of the plaintiff.

WHEREFORE, plaintiff demands judgment as follows:

- a. That plaintiff be adjudged to have a valid and subsisting lien upon the owner's interest in the above-described property, and that the amount due upon its lien be ascertained and adjudged, and that plaintiff be adjudged to be entitled to enforce said lien against the aforesaid property;
- b. Determining the equities of all parties to this action, and the priority of any claims or liens to be asserted herein.
- c. Directing defendant to pay over to plaintiff the amount adjudicated as its lien with interest and granting plaintiff judgment for any deficiency therein.
- d. Directing that the subject property be sold, as provided by law, and that plaintiff be paid the amount of its lien with interest out of the proceeds thereof, together with costs and disbursements, and that plaintiff have judgment for any deficiency therein.
- e. That plaintiff have judgment against all defendants, jointly and severally, in the sum of \$162,549.34 with interest from November 30, 2008, together with the costs and disbursements of this action, and
- c. That plaintiff be granted any other and further appropriate relief.

Dated: May 17, 2009
White Plains, NY

Yours etc.,



Peter B. Ackerman, Esq.
Attorney for Plaintiff
202 Mamaroneck Avenue, Suite 500
White Plains, NY 10601
(914) 686-1200

INDEX#

Supreme Court Of The State Of New York
County Of Westchester

Saccardi & Schiff, Inc.

Plaintiff,

-against-

Seven Springs LLC

Defendant(s)

SUMMONS
COMPLAINT

Peter B. Ackerman, Esq.
202 Mamaroneck Avenue, Suite 500
White Plains, New York, 10601
(914) 686-1200

NOTICE OF ENTRY

PLEASE TAKE NOTICE that the within is a (certified)
true copy of a(n)
duly entered in the office of the clerk of the within
named court on
Dated:

Yours, etc.

PETER B. ACKERMAN, atty for plaintiff
202 Mamaroneck Avenue, Suite 500
White Plains, New York, 10601

To:
Attorney for Defendant(s)

NOTICE OF SETTLEMENT

PLEASE TAKE NOTICE that a
of which the within is a true copy
will be presented for settlement to the Hon.
one of the judges of the within named Court, at
Westchester Co. Supreme Courthouse
110 Dr. Martin Luther King Jr. Blvd
White Plains NY 10601
on at 9:30 AM
Dated:

Yours, etc.

PETER B. ACKERMAN, atty for plaintiff
202 Mamaroneck Avenue, Suite 500
White Plains, New York, 10601

To:
Attorney for Defendant(s)